

Monroe County District Attorney Sandra Doorley

March 25, 2022

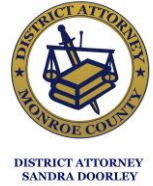


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Monroe County District Attorney's Office Weekly Newsletter



Welcome to the weekly newsletter from Monroe County District Attorney Sandra Doorley.

Message from Sandra Doorley

Thomas Johnson III Conviction Affirmed by the Fourth Department

On March 18, 2022, the Supreme Court of the State of New York Appellate Division Fourth Judicial Department released the decision unanimously affirming the conviction of Thomas Johnson III, who was convicted for the tragic murder of Rochester Police Officer Daryl Pierson.

On December 2, 2021, an attorney for Thomas Johnson III filed for a dismissal of the Aggravated Murder of a Police Officer conviction. My former Chief of the Appeals Bureau, Assistant District Attorney Leah Mervine, argued on behalf of the Monroe County District Attorney's Office to uphold the conviction for this serious offense. The Fourth Department unanimously affirmed the original conviction. Thomas Johnson III will continue to serve his very deserved sentence of Life without the possibility of parole in the New York State Department of corrections.

Watching the oral arguments at the end of last year brought me right back to the night Officer Pierson was killed and to the trial of Thomas Johnson III. This murder devastated our community. When we speak of officers putting their lives on the line, we recognize the danger they face but the possibility of losing their lives on duty is often a forgotten consequence. A consequence we are only reminded of when we lose one of our own dedicated officers to crime and unnecessary violence.

This community will always remember the brutal murder of Officer Pierson. Thank you to all of the Appellate Court Justices of the Fourth Department who affirmed the conviction of Thomas Johnson III. This murder serves as a reminder of the dangers our police officers face on a daily basis. Officer Pierson made the ultimate sacrifice on that September night, something we as a community will never forget.

Sandra



Homicide Update

So far in 2022:

City of Rochester Total: 16

Monroe County Total: 16

Monroe County Heroin Task Force Update

February 2022

Total Reported ODs: 61

Total Fatalities: 20

Year To Date 2022

Total Reported ODs: 119

Total Fatalities: 35

Trial of David Gardner and Kimberly Jones

In a complex and unusual case, two Monroe County Juries convicted 44-year-old **David Gardner** and 29-year-old **Kimberly Jones** of two counts of Murder in the 2nd Degree, Kidnapping in the 1st Degree, Robbery in the 1st Degree, two counts of Robbery in the 2nd Degree and Criminal Possession of Stolen Property in the 4th Degree for the robbery, kidnapping and murder of Samuel Ortiz.

On July 7, 2019, Samuel Ortiz was reported missing by his family. Two days later on July 9, 2019, his vehicle was found after being lit on fire in Brandon, Florida. On July 13, 2019, Samuel Ortiz's body was found decomposed in a garage in the City of Rochester. Kimberly Jones and David Gardner abducted, robbed and murdered Samuel Ortiz before fleeing the state.

A detailed investigation conducted by the Rochester Police Department spanned over several jurisdictions and involved many law enforcement agencies, including the Hillsboro County Sheriff's Office and Fire Department in Florida, the Tampa Police Department, and the New York State Division of Parole. Kimberly Jones was arrested for parole absconding in Tampa, Florida in July 2019, where she was then extradited to New York and sent to the Department of Corrections. On July 16, 2020, after Kimberly Jones was released from the New York State Department of Corrections and Community Supervision, she was charged by the Rochester Police Department for Mr. Ortiz's murder.

David Gardner was also arrested for parole absconding when he was located in Salisbury, North Carolina in August 2019. Following the arrest of Kimberly Jones, David Gardner was charged on July 31, 2020, with the kidnapping, robbery and murder of Samuel Ortiz, as he was scheduled to be released from the New York State Department of Corrections.

The case was prosecuted by First Assistant District Attorney Perry Duckles and Assistant District Attorney Patrick Gallagher, Chief of the Domestic Violence Bureau.

Highlights from the MCDA's Office

55-year-old **Gary Martin** was convicted by a Monroe County Jury of Criminal Sexual Act in the 1st Degree, Attempted Criminal Sexual Act in the 1st Degree and Assault in the 2nd Degree for the sexual assault of two women on or about August 3, 2019, and August 4, 2019 and September 28, 2020 and September 29, 2020. Gary Martin demonstrated a pattern of preying on vulnerable women who he believed would not go to the authorities. This case was prosecuted by Senior Assistant District Attorney Kevin Sunderland, of the Special Victims Unit.

A Monroe County Jury convicted 29-year-old **Alexander Laureano** of Murder in the 2nd Degree, Manslaughter in the 1st Degree, two counts of Attempted Robbery in the 1st Degree and Attempted Robbery in the 2nd Degree for the murder and attempted robbery of Chernet Tiruneh. On April 28, 2020, Rochester Police Officers were called to Chappa's Groceries in the City of Rochester for reports of a man shot. The store clerk, Chernet Tiruneh, was found dead from the shooting. With help from the community, the Rochester Police Department conducted a detailed and thorough investigation. In March 2021, Alexander Laureano was identified and arrested for the attempted robbery and murder of Chernet Tiruneh, eleven months after the homicide. Laureano held the victim at gunpoint and demanded money while Chernet was behind the counter. Chernet Tiruneh reached for his legally registered firearm and Laureano shot and killed him. The case was prosecuted by Assistant District Attorney Michael Harrigan, Deputy Chief of the Major Felony Bureau and Senior Assistant District Attorney Kristin Sippel, also of the Major Felony Bureau.

41-year-old **Delon McNeil** pled guilty to Manslaughter in the 1st Degree for the May 3, 2021 homicide of Jaquan Hill in the City of Rochester. Delon McNeil will serve 25 years in the New York State Department of Corrections plus 5 years of post-release supervision. On May 3, 2021, Delon McNeil shot 25-year-old Jaquan Hill twice on Cameron Street in the City of Rochester following a dispute over the defendant's vehicle. Jaquan Hill died immediately from the gunshot wounds. Two Monroe County Probation Officers were in the area for an unrelated matter, heard the gunshots and pursued Delon McNeil on foot before the defendant escaped. Rochester Police Officers arrived at the scene, conducted a detailed investigation and arrested Delon McNeil four days later. The case was prosecuted by Special Assistant District Attorney Michael Robertson, of the Major Felony Bureau.

38-year-old **Tyrell Bradley** was sentenced to 14 years in the New York State Department of Corrections plus 5 years of Post Release Supervision by Monroe County Court Judge Dollinger. Tyrell Bradley was convicted by a Monroe County Jury of two counts of Criminal Possession of a Weapon in the 2nd Degree, Criminal Possession of a Controlled Substance in the 3rd Degree and two counts of Criminally Using Drug Paraphernalia in the 2nd Degree on February 15, 2022. On April 5, 2020, Tyrell Bradley used an illegal pistol and fired gunshots into a group of people who were congregating on Lyell Avenue in the City of Rochester. Three people were struck by gunfire. Bradley fled the scene at excessive speeds when the gunshots and vehicle were noticed by the Rochester Police Department. Following a short vehicular chase, Tyrell Bradley abandoned the vehicle on Bauer Street and entered a house where he concealed the gun. Rochester Police Officers arrested Tyrell Bradley, located the illegal weapon and returned to the property with a search warrant. Following the warrant, 35 bags of crack cocaine were discovered, in addition to drug paraphernalia. This case was prosecuted by Assistant District Attorney Jonathan Jirik, of the Special Investigations Bureau.

MCDA in the Community

Monroe County District Attorney Sandra Doorley attended Lifespan's annual Celebration of Aging Luncheon. After a two year hiatus, Lifespan brought in Olympic gold medalist, author and philanthropist Scott Hamilton as this year's guest speaker. If you know of seniors looking for services, Lifespan is a great place to turn!

<https://www.lifespan-roch.org/>



The Assistant District Attorneys in the Local Courts Bureau received a tour of Bivona Child Advocacy Center. Bivona is a phenomenal resource and partner that we wish we did not need. Bivona provides services to victims of child abuse, community education, counseling and much more. We are lucky to have an organization like Bivona in our community. If you suspect child abuse, please call law enforcement or Bivona Child Advocacy Center at 585-935-7800.

<https://www.bivonacac.org/>



MCDA in the News

<https://www.whec.com/rochester-new-york-news/da-says-her-office-has-15-murder-cases-where-the-accused-are-16-and-17-years-old/6427701/?cat=565>

<https://www.democratandchronicle.com/story/news/2022/03/21/thomas-johnson-appeal-denied-in-murder-of-rpd-officer-daryl-pierson-rochester-ny/7119412001/>

<https://www.whec.com/rochester-new-york-news/david-gardner-kimberly-jones-convicted-samuel-ortiz-murdered/6427337/>

<https://www.rochesterfirst.com/crime/rochester-man-convicted-in-2020-triple-shooting-on-lyell-ave/>

<https://13wham.com/news/local/pair-convicted-in-rochester-kidnapping-murder>

<https://www.whec.com/rochester-new-york-news/rochester-man-pleads-guilty-to-manslaughter-in-may-2021-shooting/6422598/>

<https://www.rochesterfirst.com/crime/guilty-plea-in-2021-fatal-shooting-on-cameran-st-in-rochester/>

<https://www.whec.com/rochester-new-york-news/man-convicted-in-attempted-robbery-that-escalated-into-deadly-shooting-at-chappas-grocery/6424656/>

<https://13wham.com/news/local/man-convicted-of-criminal-sex-act-faces-decades-in-prison>

<https://www.rochesterfirst.com/crime/guilty-verdict-in-the-murder-trial-for-2020-homicide-in-rochester-store-chappas-grocery-alexander-laureano-chermet-tiruneh/>

<https://www.rochesterfirst.com/crime/two-convicted-for-kidnapping-and-murdering-rochester-man-samuel-ortiz/>

<https://www.whec.com/rochester-new-york-news/sex-crimes-conviction-rochester-gary-martin/6428076/>



We are hiring attorneys! If you are a recent law school graduate or an experienced attorney and are interested in a career in criminal law and public service, apply with us today! More information is available on monroecounty.gov/da.